

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.
124189-1004

In Re Application Of: **George Kent McClure, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/811,500	3/26/04	Unassigned	037058	3727	8906

Invention:

PROTECTIVE COVER FOR MEDICAL DEVICES

Mail Stop Missing Parts
COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

6/9/04

Date

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- _____ verified small entity declaration(s)
 - is/are attached.
 - was/were filed on _____
- A separate request for refund.
- Other (list):

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.
124189-1004

In Re Application Of: George Kent McClure, et al.

Rec'd PCT/PTO 06 AUG 2004

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/811,500	3/26/04	Unassigned	037058	3727	8906

Invention:

PROTECTIVE COVER FOR MEDICAL DEVICES

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

Completion of application fees as calculated below:

Utility application filing fee \$385.00

Design application filing fee

Total number of independent claims = **3**

Total number of claims = **27** **\$63.00**

Multiple dependent claims

Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$65.00**

Petition and fee for filing by other than all the inventors or a person not the inventor

Fee for processing an application filed with a non-English language specification

Fee for processing and retention of application

Total completion of application fees \$513.00

Total completion of application fees \$513.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month Two months Three months Four months Five months

from: _____ until: _____

Date

Date

Total time extension fees

Total fees due \$513.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
124189-1004

In Re Application Of: **George Kent McClure, et al.**

Application No. 10/811,500	Filing Date 3/26/04	Examiner Unassigned	Customer No. 037058	Group Art Unit 3727	Confirmation No. 8906
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Invention:

PROTECTIVE COVER FOR MEDICAL DEVICES

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of **\$513.00** is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.



Signature

Tim Headley

Reg. No. 31,765; Customer No.: **037058**

Gardere Wynne Sewell LLP

1000 Louisiana, Suite 3400

Houston, Texas 77002

Telephone: (713) 276-5320

Fax: (713) 276-6320

Email: theadley@gardere.com

Dated: **8-6-04**

I certify that this document and fee is being deposited on **8/6/04** with the U.S. Postal Service as **express** mail under 37 C.F.R. 1.10 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV451434510US


Deborah Fooths
Signature of Person Mailing Correspondence

Deborah Fooths

Deborah Fooths
Typed or Printed Name of Person Mailing Correspondence

CC:

Attorney Docket No. 124189-1004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: George Kent McClure

U.S. App. Ser. No.: 10/811,500

Customer No.: 037058

Filing Date: March 26, 2004

Examiner: Unknown

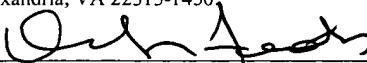
Group No.: 3727

Invention: PROTECTIVE COVER FOR MEDICAL DEVICES

MS Missing Parks
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING
Express Mail No. EV451484510US
Date of Deposit: 8/6/04

This paper and fee are being deposited with the U.S. Postal Service and sent via "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Typed name: Deborah Foote

TRANSMITTAL LETTER

Sir:

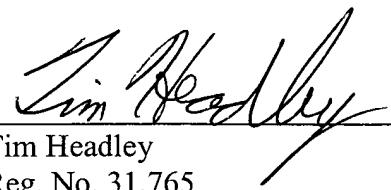
I have enclosed the following documents for the above-identified patent application:

1. Response to Notice to File Missing Parts;
2. Declaration for George Kent McClure and Margaret Ann Johnston;
3. *Copy* of Notice to File Missing Parts;
4. Power of Attorney to Prosecute Applications Before the USPTO
5. Statement Under 37 CFR 3.73(b);
6. *Copy* of Assignment filed August 6, 2004
7. Check in the amount of \$513.00 (basic filing fee, late declaration surcharge, and fee for additional claims); and
8. Postcard.

Applicants and Assignee qualify for small entity status as defined in 37 CFR 1.27(a)(1)(2), for the purposes of paying reduced fees. Applicants believe that no additional fees are due with this filing. However, if this is incorrect, the Commissioner is authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 07-0153 of GARDERE WYNNE SEWELL LLP.

Respectfully submitted,

Date: 8-6-04



Tim Headley
Reg. No. 31,765
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Houston, Texas 77002-5007
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UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 06 AUG 2004

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/811,500	03/26/2004	George Kent McClure	124189-1004

CONFIRMATION NO. 8906

37058
TIM HEADLEY
GARDERE WYNNE SEWELL LLP
1000 LOUISIANA, SUITE 3400
HOUSTON, TX 77002

FORMALITIES LETTER



OC000000012905576

Date Mailed: 06/09/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$126** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1026** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$126
 - \$126 for 7 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Ali

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE